

**WRITTEN QUESTION TO H.M. ATTORNEY GENERAL  
BY DEPUTY M.R. HIGGINS OF ST. HELIER  
ANSWER TO BE TABLED ON TUESDAY 11th SEPTEMBER 2012**

**Question**

Will H.M. Attorney General advise the Assembly whether Her Majesty the Queen or any other senior member of the Royal Family have the power directly to see, amend or veto any legislation enacted by the States of Jersey in addition to the powers she has conferred on her Privy Council?

**Answer**

By an Order in Council of 28th March 1771 any laws to remain in force in Jersey for longer than three years require the sanction of the Sovereign in Council. The Privy Council's Committee called the Council for the Affairs of Jersey and Guernsey (the "Committee") is appointed at each succession of a new monarch and acts as the advisory body to the Crown.

In accordance with Her Majesty the Queen's General Order of Reference of 22nd February 1952 there stand referred to the Committee all Acts and Laws passed or to be passed by the legislature of the Island of Jersey and submitted to Her Majesty in Council for Her Majesty's approval. Her Majesty the Queen does not act independently of the Privy Council in this regard, and in the opinion of the Attorney General no other member of the Royal Family has any such power.

With regard to Her Majesty the Queen's ability to see legislation enacted by the States of Jersey, it should be noted that Her Majesty the Queen attends Privy Council meetings. Additionally, any two Counsellors of State may attend Privy Council meetings in the absence of Her Majesty the Queen. Counsellors of State are presently The Duke of Edinburgh, The Prince of Wales, The Duke of Cambridge, Prince Harry of Wales and The Duke of York. It should of course be noted that, between legislation being enacted by the States of Jersey and sanctioned by Her Majesty in Council, copies of draft legislation, together with comments, amendments and transcripts of proceedings in the States with regard to that legislation will be publicly available on the States Assembly website and anyone can therefore see legislation passed by the Assembly.

Standing Order 169 of the Standing Orders of the States of Jersey provides that "When a draft Law has been adopted by the States in 3rd reading the Greffier shall ensure that the draft Law is sent to the Clerk to Her Majesty in Council." Reference in Jersey law in this regard is consistently to her Majesty in Council.

The power of Her Majesty the Queen is the power of the sovereign. Only the sovereign, acting through her Privy Council has any power in the approval of Jersey legislation. In the opinion of the Attorney General, neither Her Majesty the Queen nor any other senior member of the Royal Family has the power directly to amend or veto any legislation enacted by the States of Jersey.